

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1103

Introduced by Assembly Member Hall

February 22, 2013

An act to amend Section 330.5 of the Penal Code, relating to gaming.

LEGISLATIVE COUNSEL'S DIGEST

AB 1103, as amended, Hall. Gaming: slot machines.

Existing law provides that the manufacture, sale, possession, or control of a slot machine or device, as defined, and other specified activities relating to slot machines or devices, as defined, is a misdemeanor. Existing law excludes music machines, weighing machines, and vending machines, as specified, from these provisions, and excludes pin ball and other amusement machines or devices from the definition of a slot machine or device.

This bill would ~~make technical, nonsubstantive changes to those provisions~~; *provide that only amusement machines or devices that do not offer money, or any item that can be redeemed for money, as a prize are excluded from the definition of a slot machine or device.*

By expanding the scope of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 330.5 of the Penal Code is amended to
2 read:
3 330.5. *The following are not slot machines or devices as defined*
4 *by Sections 330.1 to 330.4, inclusive, shall not apply to music*
5 *inclusive:*
6 (a) *Music* machines, weighing machines, and machines that
7 vend cigarettes, candy, ice cream, food, confections, or other
8 merchandise, in which there is deposited an exact consideration
9 and from which in every case the customer obtains that which he
10 or she purchases; and pin purchases.
11 (b) *Pin* ball and other amusement machines or devices that are
12 predominantly games of skill, whether affording the opportunity
13 of additional chances or free plays or not, ~~are not intended to be~~
14 ~~and are not included within the term slot machine or device as~~
15 ~~defined within Sections 330.1 to 330.4, inclusive.~~ *if the machine*
16 *or device does not offer as a prize money or any item that can be*
17 *redeemed for money.*
18 SEC. 2. *No reimbursement is required by this act pursuant to*
19 *Section 6 of Article XIII B of the California Constitution because*
20 *the only costs that may be incurred by a local agency or school*
21 *district will be incurred because this act creates a new crime or*
22 *infraction, eliminates a crime or infraction, or changes the penalty*
23 *for a crime or infraction, within the meaning of Section 17556 of*
24 *the Government Code, or changes the definition of a crime within*
25 *the meaning of Section 6 of Article XIII B of the California*
26 *Constitution.*